

A CHANCE TO MAKE IT BETTER



REAUTHORIZATION OF THE “NO CHILD LEFT BEHIND” ACT

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AMID CONSIDERABLE PUBLICITY and public attention, on Jan. 8, 2002, President George W. Bush signed a reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965. Known as the *No Child Left Behind Act (NCLB) of 2001*, this landmark education initiative was passed by an overwhelming bipartisan majority in Congress, and signaled a fundamental change in American education. Now as Congress and the Bush administration consider the five-year reauthorization of the law, they have the opportunity to address some of NCLB’s important problems of commission and omission.

their achievement targets. The NCLB Act also included greater accountability for the results of improvement efforts, particularly as measured by student performance on annual statewide standardized testing at the elementary and secondary levels.

The major objective of the NCLB law was to help close the persistent and huge achievement gaps between disadvantaged students and their more affluent peers. The law’s ultimate goal is a steady academic gain by all subgroups of students until all can read and do math at or above grade level expectations. The target school year for states to reach a

choice component, giving parents the right to transfer their children out of chronically low-performing or failing schools. Schools that underperform or fail to meet targeted gains, called “Adequate Yearly Progress” (AYP), are held accountable, providing their students with free tutoring or transfer to a better-performing public school. A school that fails to meet the AYP targets for five consecutive years can be closed, restructured or made into a charter school.

The administration contends that NCLB has helped revitalize the state’s constitutional leadership role in education. Before NCLB was passed, less than half of the states fully measured their students’ achievement against clear academic standards. In 2007, every state now holds schools accountable for improving the academic achievement of all students. NCLB data must be reported by race, gender, ethnicity, special needs and economic status, thus prohibiting schools and districts from masking the deficiencies of some students with outsized gains by others.

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To be sure, much of what No Child Left Behind has accomplished has been for the good. The NCLB law strengthened the federal government’s role in education and required all states to develop and adopt a standards-based reform agenda for all public schools. Important provisions in the law include academic standards in reading and mathematics in grades 3 through 8 for all students; increased resources to help students and schools meet the state standards; and added flexibility for schools to use the resources to meet

proficient level of performance is set for 2013–14, by which time students must meet their state’s definition of academically “proficient.” To show progress toward this goal, schools must publicize school report cards and test at least 95 percent of their students in third through eighth grades in reading and mathematics against state standards. Further, the law stipulates that all teachers in core academic subjects must be “highly qualified,” as defined by each state. NCLB also includes a strong parental

Impact of NCLB on Education

Over the past five years, NCLB has generated enormous controversy across the education field in the United States. Preliminary research studies show the NCLB law is having an effect, both positive and negative, on schools, districts and education in general. Findings from multiple sources show that the law’s main goal is being achieved. Test scores in reading and mathematics are ▶

improving for all groups of students. The achievement gaps have narrowed slightly. Elementary schools are spending more time working on reading and mathematics; schools are paying more attention to alignment between curriculum, instruction and assessment. Special education students and English language learners are receiving better instruction and improved academic programs—a particularly important consequence

time from instruction, especially at the elementary and middle school levels. The percentage of schools on state “needs improvement” lists has been increasing over the past two years after holding steady for the first three years of the law, perhaps because states selected lower AYP target rates at the beginning of NCLB implementation to avoid having a large number of schools classified as failing.

performance benchmarks so schools can avoid heavy consequences that are attached with failing to reach the state AYP targets. Educators point out that it is unfair to compare states with high standards to those adopting lower standards. For example, in 2006 Mississippi deemed 89 percent of its fourth graders proficient or better in reading based on its state test. That same year only 51 percent of fourth graders in Massachusetts—a state known for adopting rigorous standards—were deemed proficient in reading based on the Massachusetts test. In Mississippi only 7 percent of schools did not meet state AYP targets, while 35 percent of schools in Massachusetts failed to meet the state AYP targets in 2006 (Table 2).

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of NCLB, because subgroup achievement accounts for almost half of the schools failing to meet AYP goals (Table 1). Teachers are complying with the NCLB “Highly Qualified Teacher” requirements by completing state certification requirements.

While the above effects are positive and a cause for optimism, there are some negative effects that must be considered during the 2007 reauthorization process of NCLB. For example, schools not meeting the AYP requirements very often spend more time on reading and mathematics at the expense of subjects not tested. Chronically low-performing schools are undergoing minor changes rather than radical kinds of restructuring as stipulated by NCLB, and are thus unlikely to achieve the primary goal of all students performing at or above grade level. Elementary- and middle-school students are taking more tests as a result of NCLB. In 2002, only 19 states tested students annually in reading and mathematics in grades 3–8 and once in high school; by 2007, every state had such testing, often with additional tests at the district level. In 2007–08, a science assessment will be required as part of NCLB. All these tests and time for preparation are taking significant

Besides these presumably unintended consequences of NCLB, such as the overemphasis on testing, there are problems that the law failed to address. NCLB was supposed to level the playing field, promising students equal education no matter where they live or what their backgrounds. Despite state progress in setting academic standards in reading and mathematics, analysis of 49 state standards in reading and mathematics revealed huge differences across states in what students are expected to know and learn.

The Need for Consistent and Rigorous Standards

Each state sets its own standards for student achievement in reading and mathematics, then tests to see if the students meet the content standards and the benchmarks for “proficient” performance. This “laissez-faire” practice is under increasing scrutiny by educational researchers, policymakers and state officials as Congress prepares to discuss the reauthorization of the NCLB. Advocates of rigorous standards say the No Child Left Behind law has encouraged some states to set low standards or

Some educators argue that states can manipulate the test results by lowering the bar that determines the cut score for the proficient category, thus allowing more students to pass. Many education experts and business groups say a patchwork of math and science standards is inefficient and ineffective because it prevents reliable or valid comparisons between states on the core academic areas of mathematics, science and English. They contend that students in states with low standards will have trouble competing in the global economy or in post-secondary education in fields related to mathematics, science or technology. Recently proposed legislation by U.S. Rep. Vernon Ehlers of Michigan and Sen. Christopher Dodd of Connecticut would establish national standards in mathematics, reading and science that all states can use as a uniform and rigorous basis for their assessment. However, this proposal is viewed unfavorably by the U.S. Department of Education and some members of Congress who see it as an infringement on state roles in defining curriculum.

The National Assessment of Educational Progress (NAEP) offers the best opportunity to compare state

performance using a common assessment across the nation. NAEP is the closest thing we have to a national test and provides a “snapshot” of educational achievement in America. NAEP content standards are developed to measure what students should know and be able to do at grades 4, 8 and 12. The NAEP performance standards of Basic, Proficient and Advanced are more rigorous than most state standards and are intended to measure if students are ready to move up the education ladder. State-level NAEP results differ starkly from state assessment results for most states, in that some states with low NAEP scores had very high state scores. However, states with higher NAEP performances tend to have more consistent results between the two assessments. This analysis supports the proposition that national standards are needed to reach the NCLB goal of a level playing field.

The U.S. Department of Education has proposed that states report the proficiency rate derived from state tests and NAEP assessments on the same public report card. The Department further proposes to sponsor a cross-state comparison of standards at the elementary and secondary levels. Many other prominent NCLB proposals from educators, policymakers and businesses are advocating the use of common academic standards across states. One state superintendent pointed out that “if we are all going to be held to a standard, it certainly would be nice if it were the same standard.”

This sentiment reflects the view of many key educators at a recent NCLB reauthorization Congressional hearing. NCLB accountability provisions are moving the United States toward common standards in mathematics, science and English. In my view, this is a step in the right direction that will enhance the educational opportunities for all students and ensure that quality and rigorous content are

taught to students across the nation in urban, suburban and rural schools.

The U.S. Department of Education proposal for the reauthorization of NCLB preserves most of the existing provisions at the elementary and middle school levels. The Administration is calling on Congress to maintain NCLB’s framework of high expectations and accountability, but proposes to give districts and states larger flexibility in the implementation process. At 2,300 pages, the 2002 law was overly prescriptive, with a “one size fits all” approach to complex educational problems. This approach worked in some places but was counterproductive and failed in others. Many new proposals advance different approaches to rectifying this problem but most agree on the need for added flexibility in the procedures to use in implementing the accountability provisions.

NCLB and High School Reform

The Administration’s proposal for the 2007 reauthorization also recommends significantly expanding the NCLB provisions at the high school level. Proposed provisions aim to improve graduation rates, promote rigor in high school coursework, increase funding for urban and poor high schools and provide resources to improve teacher qualities and effectiveness. In particular, the Administration is proposing a \$1 billion Title I allocation for high school reform. Presently, only about 5 percent of the \$12.8 billion in Title I funds are used at the high school level, so the proposed new funds would double the resources available to urban and poor high schools who are failing to meet graduation and achievement standards. However, the new funds would come at the expense of other programs that presently impact high schools, such as the Perkins Career and Technical

TABLE 1

Causes for Missing AYP (05–06) at National and State Levels by Percentage of Schools

CATEGORY NOT ACHIEVED	NATIONAL LEVEL ¹	MICHIGAN LEVEL ²	
		N-COUNT	PERCENT ³
Overall student achievement	35%	239	44%
Achievement of ONE subgroup	25%	224	41%
Achievement of TWO subgroups	20%		
95% test participation rate	7%	51	9%
Other factors (MI attend.; grad. rates)	13%	30	6%
TOTAL	100%	544	100%

1. SOURCE: U.S. Department of Education.

2. SOURCE: Michigan Department of Education, *2006 School Report Card*, August 24, 2006.

3. Causes Related to Student Achievement in Michigan

Not meeting AYP due to math	228	42%
Not meeting AYP due to reading	195	36%
Not meeting AYP due to both math and reading	182	33%

TABLE 2

Percent of Students at or above the Proficient Level on State Testing and NAEP (Reading Assessment, Grade 4)

	MISSISSIPPI	MASSACHUSETTS	MICHIGAN	U.S.*
2005 State Test Results	89.0	51.2	83.0	78.2
2005 NAEP Results	18.2	43.7	31.7	29.8

*Weighted Average

SOURCE: U.S. Department of Education and *Education Week*, 2006.

Education and the Individuals with Disabilities Education Act (IDEA).

In my view, the Bush administration, Congress and the business community are justified in their demands for improvements at the high school level. The achievement gap among racial, ethnic and poor students is widest by far at the high school level. The graduation rates of disadvantaged minority students are significantly lower than those of their more advantaged peers, and over the past five years the rates for male students have gotten worse, not better. The present NCLB model is designed to help improve the elementary and ▶

middle school reform, and up to now seems to be working. However, high school reform requires a different approach that addresses the specific causes of success or failure of high school systems, teachers and students. For example, the present NCLB testing requirements will not work in the

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comprehensive and highly diversified course offerings that constitute current high school curriculums. Rather than increasing the quantity of testing at the high school level, policymakers should strive to improve the quality and timeliness of testing.

NAEP results have demonstrated clearly that more than 40 percent of all 12th graders lack basic mathematical knowledge to survive a typical high school curriculum. For disadvantaged minority and poor students this percentage soars to 70 percent. More testing at the high school level is not the answer. What is needed in the poor-performing schools is more qualified teachers in mathematics and science, targeted remediation for students who come unprepared for high school education, and better articulation between the curriculum offered in high schools and what post-secondary educational institutions and the workplace expect of high school graduates.

Addressing the concerns about high school education in core academics, the Administration launched its "American Competitiveness Initiative" (ACI) in 2006. The initiative aims at helping high school students do better in mathematics and science by providing funds to train 70,000 teachers to lead Advanced Placement Courses, bringing 30,000 mathematics and science professionals in to teach in high schools and providing early help to students who struggle with math-

ematics. This emphasis on competitiveness is consistent with the NCLB goal of improving academic standards and ensuring that all students receive effective instruction from qualified teachers in mathematics and science. A committee of the National Academy of Sciences reported, "Having re-

viewed trends in the U.S. and abroad, the committee is deeply concerned that the scientific and technical building blocks of our economic leadership are eroding at a time when many other nations are gathering strength." The Congress of the United States should pay particular attention to high school reform during the NCLB reauthorization process.

Conclusion

It is very likely that Congress and the administration will provide states and districts with additional flexibility, assistance and resources to help improve or restructure chronically underperforming schools at the elementary and secondary levels. It is also likely that the NCLB accountability provisions will be modified to ensure a degree of consistency across states in defining and testing high expectations and standards with rigorous curriculum in mathematics, science and English. At the same time, accountability requirements for students with disabilities and for students with limited English proficiencies must be modified because they cause unreasonable and persistent problems to elementary and middle schools in meeting AYP targets.

The U.S. Congress has already begun hearings on NCLB and has received wide and diverse input from

a multitude of organizations, groups, individuals and state and federal policymakers. Congress is expected to maintain the NCLB framework of high standards and accountability for all students, but the law will be amended to build on the strengths of what has worked over the past five years while addressing its weaknesses. Educators can expect to see a modification of achievement growth targets and a more realistic definition of proficiency that will provide more meaningful and valid comparable achievement targets across states.

I predict that NCLB will be reauthorized in 2008 in a deliberate and thoughtful fashion. Congress will maintain NCLB's framework of high expectations and will continue to hold states, districts and schools accountable for their student's achievement. Congress will very likely add new provisions for high school reform with emphasis on rigorous mathematics and science participation and achievement with special emphasis on low performing high schools.

The goal of closing the huge achievement gap is laudable and must be addressed effectively. The NCLB seeks to develop and implement a new federal and state relationship that provides more state and district flexibility in exchange for improved academic accountability. The reauthorized NCLB should be specific about outcomes and flexible about means of delivering these outcomes.

The reauthorization process for No Child Left Behind represents an important opportunity for the nation's leaders to improve this landmark legislation and to improve the chances that it and the nation's schools will live up to its name. Closing the achievement gap while improving educational expectations for all students is in the interest of the nation, the states, the districts and above all the students who make up the future of the United States of America. ■